HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No. 846 of 2007

Between:

The Registrar,
Kakatiya University,
Warangal & another

… Appellants

And

M. Narasimha Reddy & another

… Respondents

:: J U D G M E N T ::

Counsel for the appellants : Shri Deepak Bhattacharjee

Counsel for respondent No.1 : Shri A. Ramakrishna Reddy

October 12, 2007

Per G.S. SINGHVI, CJ

This is an appeal for setting aside order dated 10.04.2007 passed by the learned Single Judge, whereby he quashed proceedings dated 22.5.1997 issued by the Registrar, Kakatiya University (appellant No.1 herein) and directed finalization of the writ petitioner's case for payment of pension and other retiral dues as Caretaker Grade-I on the basis of deemed approval granted by the State Government to the upgradation of the post of Caretaker Grade-II.

After arguing the case for some time and finding that the Court is not at all inclined to interfere with the order under challenge and the appeal is likely to be dismissed with costs, Shri Deepak Bhattacharjee, learned counsel for the appellants made a request for grant of leave to his clients to withdraw the appeal.

The request of the learned counsel is accepted and the appeal

is dismissed as withdrawn.

As a sequel to dismissal of the writ appeal as withdrawn, W.A.M.P.No.1684 of 2007 filed by the appellants for interim relief is also dismissed.

While accepting the request of the learned counsel for the appellants, we consider it imperative to observe that the stand taken by the appellants and the government in dealing with the issue of approval of the upgradation of Grade-II post to Grade-I was totally unreasonable and unjustified and both the University authorities and the State Government subjected respondent No.1 to unwarranted harassment by reducing his pay after almost eight years of upgradation and more than one year of his retirement, which resulted in denial of pensionary benefits due to him.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

October 12, 2007

ksld/ARS